



## City of Seattle

### Department of Planning and Development

Diane M. Sugimura, Director

#### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Application Number:** 3014861

**Applicant Name:** Jeff Floor, on behalf of Seattle Preparatory School Peyton Hall

**Address of Proposal:** 2340 12<sup>th</sup> Avenue East

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow temporary office use for six months accessory to Seattle Preparatory School (during renovations to Peyton Hall). Review includes temporary office use at 2339 12th Avenue East.

The following approvals are required:

**Temporary Use** – to allow a use not otherwise permitted or not meeting development standards in the zone, pursuant to Seattle Municipal Code (SMC) 23.42.040.

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

#### **SUMMARY OF PROPOSED ACTION**

This Land Use Application would allow the temporary location of office functions into existing single family residences which the school owns. The residences are located directly across E. Miller Street from the main campus of the school at 2340 and 2339 12<sup>th</sup> Avenue E. in a Single Family zone. The temporary relocation would be during the construction and renovation on the main campus. No construction is proposed for this project. The applicant has specified duration of up to six months. The total area to be used as temporary office space is about 3,900 sq. ft. (including both structures).

A Temporary Use permit is required for the proposed use as provided for in Seattle Municipal Code (SMC) [23.42.040 C](#).

## **PUBLIC COMMENT**

DPD published a notice of application for the project on February 28, 2013. The comment period ended on March 13, 2013. DPD received no comments.

## **ANALYSIS**

SMC [23.42.040](#) provides that the Director may grant, deny, or condition a temporary use application for uses not permitted or not meeting development standards in the zone where the use is proposed.

SMC [23.42.040 C](#) provides that a Master Use Permit for a period of up to six months may be authorized for any use that does not involve the erection of a permanent structure and that meets the requirements of SMC 23.42.040 A1a-c:

- a. The use shall not be materially detrimental to the public welfare; and
- b. The use shall not result in substantial injury to property in the vicinity; and
- c. The use shall be consistent with the spirit and purpose of the Land Use Code.

### **A. The use shall not be materially detrimental to the public welfare.**

The proposal will not be materially detrimental to the public welfare since the same number of employees will be traveling to and from the neighborhood; there are no modifications proposed to the existing structures where the office functions will be relocated; and, the alternative (locating the temporary office functions in portables on the school grounds) would have a negative visual impact on the neighborhood.

### **B. The use shall not result in substantial injury to the property in the vicinity.**

In that no modifications to the sites or structures are being proposed, the use will not result in any risk of substantial injury to this property or any within the neighborhood or the vicinity.

### **C. The use shall be consistent with the spirit and purpose of the Land Use Code.**

SMC [23.02.020](#) provides that the purpose of the Land Use Code is to: “*protect and promote public health, safety and general welfare through a set of regulations and procedures for the use of land which are consistent with and implement the City's Comprehensive Plan. Procedures are established to increase citizen awareness of land use activities and their impacts and to coordinate necessary review processes.*” The Land Use Code provides for flexible temporary establishment of uses that are not otherwise allowed in a zone, or which don't otherwise meet development standards – all subject to review, public input, and DPD conditioning. As proposed, DPD recognizes the temporary use to have no likely adverse effect on public health, safety and general welfare. Its temporary establishment occurs through procedures laid out in the Land Use Code, and as such it is consistent with its spirit and purpose.

## **CONCLUSION**

The proposed office uses meet all three criteria associated with temporary uses. The temporary uses should not be materially detrimental to the public welfare, it should not result in substantial injury to properties in the vicinity, and it is consistent with the spirit and purpose of the Land Use Code.

## **DECISION**

DPD **GRANTS** the proposed temporary office uses on the subject site.

## **CONDITIONS**

None required.

Signature: \_\_\_\_\_ (signature on file) Date: April 4, 2013  
Marti Stave, Senior Land Use Planner  
Department of Planning and Development

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